

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

Robert Allen Bautista,
Plaintiff,

v. Civil Action No. **3:24-cv-02593**

PricewaterhouseCoopers LLP,
Defendant.

AMENDED COMPLAINT

Plaintiff, Robert Allen Bautista ("Plaintiff"), by and through his undersigned counsel, respectfully submits this **Amended Complaint** against **PricewaterhouseCoopers LLP** ("Defendant" or "PWC"). The Plaintiff seeks redress for violations of federal and state law as detailed below, arising out of Defendant's wrongful conduct and failure to properly classify his nationality and employment status, resulting in unlawful tax withholding, fraudulent Social Security Number (SSN) use, and discrimination based on national origin. This Amended Complaint is brought under the **Civil Rights Act of 1964, 8 U.S.C. § 1101, 18 U.S.C. § 911**, and other related statutes.

I. JURISDICTION AND VENUE

1. **Jurisdiction:** This Court has jurisdiction over this matter pursuant to **28 U.S.C. § 1331**, as this case arises under federal law, including the **Civil Rights Act of 1964** and various criminal statutes, including **18 U.S.C. § 911, 18 U.S.C. § 1595**, and **42 U.S.C. § 408**.
 2. **Venue:** Venue is proper in the Northern District of Texas, Dallas Division, pursuant to **28 U.S.C. § 1391**, as Defendant conducts business in this District and the actions giving rise to the claims occurred in this District.
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II. PARTIES

1. **Plaintiff, Robert Allen Bautista**, is a man who resides in the State of Texas and was employed by **PricewaterhouseCoopers LLP**.
 2. **Defendant, PricewaterhouseCoopers LLP** ("PWC"), is a global professional services firm and employer located in the State of Texas, doing business in this District and engaged in unlawful actions as alleged herein.
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III. FACTUAL ALLEGATIONS

1. **Plaintiff's Nationality:** Plaintiff, Robert Allen Bautista, asserts that he is a **non-citizen national of the United States**, as defined in **8 U.S.C. § 1101(a)(22)**. Plaintiff is not a U.S. citizen but owes permanent allegiance to the United States and is entitled to the rights and protections that flow from this status, including the ability to work and be taxed as a non-citizen national.
2. **Incorrect Classification by PWC:** Defendant, PWC, has misclassified Plaintiff as a **U.S. citizen**, which is inaccurate and inconsistent with his true legal status as a non-citizen national of the United States. This misclassification has resulted in improper tax withholding and the violation of Plaintiff's rights under federal law.
3. **Attempt to Correct Records:** On **August 22, 2024**, Plaintiff submitted an updated **I-9 form** and **W-8BEN form** to PWC, clarifying his non-citizen national status and requesting that PWC correct its employment records. Despite these efforts, Defendant has failed to amend Plaintiff's records and continues to treat him as a U.S. citizen. This failure constitutes an unlawful misclassification and continues to subject Plaintiff to improper tax withholding.
4. **Violation of Federal Law:** Defendant's actions have resulted in violations of Plaintiff's rights under the following statutes:
 - **8 U.S.C. § 1101(a)(22)**, which defines a non-citizen national of the United States;
 - **18 U.S.C. § 911**, which makes it a felony to falsely claim U.S. citizenship; and
 - **8 U.S.C. § 1324a(b)**, which requires the accurate completion of the I-9 employment verification form.

Plaintiff asserts that Defendant's refusal to correct his nationality status constitutes fraud under **18 U.S.C. § 911** and misprision of felony under **18 U.S.C. § 4**.

5. **Incorrect Social Security Number (SSN):** Plaintiff further asserts that the SSN previously associated with his employment was not his own but belonged to another individual. Plaintiff requested that Defendant remove this incorrect SSN from its records and cease its use. Defendant's refusal to remove the incorrect SSN constitutes violations under:
 - **42 U.S.C. § 408**, which prohibits the use of fraudulent or unauthorized SSNs;
 - **18 U.S.C. § 1028**, which criminalizes identity theft and the use of another person's SSN;
 - **42 U.S.C. § 408(a)(7)**, which makes it a felony to use or disclose an SSN that does not belong to the person it is assigned to.
6. **Discrimination Based on National Origin:** Defendant's continued failure to correct Plaintiff's records, despite Plaintiff's repeated attempts to clarify his legal status, constitutes **discrimination based on national origin**, in violation of **Title VII of the Civil Rights Act of 1964**. Defendant's actions have had a discriminatory effect on Plaintiff's ability to enjoy equal treatment in employment and tax withholding.
7. **Violation of Human Rights:** Plaintiff contends that Defendant's failure to recognize his non-citizen national status constitutes a violation of his human rights under the **UN Declaration of Human Rights, Article 15, Section 2**, which guarantees the right to nationality and the right to change nationality.

8. **Peonage and Forced Labor:** Plaintiff asserts that Defendant's actions amount to **coercion or forced labor**, violating the **U.S. human trafficking laws** under **18 U.S.C. § 1595** and **18 U.S.C. § 1581**. Plaintiff asserts that Defendant's unlawful conduct has coerced him into accepting unlawful employment terms.

IV. CLAIMS FOR RELIEF

1. **Count I: Violation of Civil Rights (Discrimination Based on National Origin)**
 - Defendant's actions constitute unlawful discrimination based on national origin in violation of **Title VII of the Civil Rights Act of 1964**, 42 U.S.C. § 2000e et seq., and **42 U.S.C. § 1981**.
2. **Count II: Violation of Federal Tax Laws and Fraud**
 - Defendant's actions in misclassifying Plaintiff's nationality and forcing Plaintiff to falsely represent his citizenship status constitute violations of **18 U.S.C. § 911** (false claims of U.S. citizenship) and **8 U.S.C. § 1324a(b)** (employment verification violations).
3. **Count III: Social Security Number Fraud**
 - Defendant's use of an incorrect SSN associated with Plaintiff's employment violates **42 U.S.C. § 408** (fraudulent SSN use) and **18 U.S.C. § 1028** (identity theft).
4. **Count IV: Human Rights Violation (UN Declaration of Human Rights)**
 - Defendant's failure to recognize Plaintiff's nationality violates his rights under the **UN Declaration of Human Rights, Article 15, Section 2**.
5. **Count V: Peonage and Forced Labor**
 - Defendant's actions amount to **coercion and forced labor**, in violation of **18 U.S.C. § 1595** and **18 U.S.C. § 1581**.

V. REQUEST FOR RELIEF

WHEREFORE, Plaintiff respectfully requests the following relief:

1. **Compensatory Damages** for emotional distress, lost wages, and financial harm caused by Defendant's unlawful actions;
2. **Punitive Damages** for Defendant's willful and malicious conduct;
3. **Restitution** for wrongful tax withholding and damages arising from the use of an incorrect SSN;
4. **Injunctive Relief** compelling Defendant to correct Plaintiff's employment records, including nationality classification and removal of the incorrect SSN from Defendant's records;
5. **Attorney's Fees and Costs** incurred in pursuing this action, as provided under **Title VII, 18 U.S.C. § 1595**, and other applicable statutes;

6. **Pre- and Post-Judgment Interest** as allowed by law.
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VI. PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays that the Court:

1. Award Plaintiff all relief sought herein;
 2. Grant any further relief the Court deems just and proper.
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DATED: November 25, 2024

Respectfully Submitted,
WITHOUT RECOURSE

WITHOUT PREJUDICE

Pay to the order of:

ROBERT ALLEN BAUTISTA®

By: /s/ Robert Allen Bautista/agent

Robert Allen Bautista/attorney-in-fact

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Amended Complaint has been served upon Defendant's counsel via EMAIL on this 25th day of November, 2024.

WITHOUT RECOURSE
WITHOUT PREJUDICE

Pay to the order of:

ROBERT ALLEN BAUTISTA®

By: /s/ Robert Allen Bautista/agent

Robert Allen Bautista/attorney-in-fact